IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

Crl.MC.No. 2963 of 2006()

CC.517/2006 of JUDL.MAGISTRATE OF FIRST CLASS, KAYAMKULAM

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PETITIONER:

KOCHUMON, S/O. SHAMSUDEEN,
PUTHUVAL VEETTIL, K.M.C. WARD NO.34,
CHIRAKKADAVU MURI, KAYAMKULAM.

BY ADV. SRI.R.REJI

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
STATE REPRESENTED BY THE SUB INSPECTOR
KAYAMKULAM.

2. J.K. INVESTORS, KAYAMKULAM,
REP.BY ITS MANAGING PARTNER, DR.JOSE JOSEPH,
S/O. JOSEPH, AGED 45 YEARS, MALIAKKAL
KOCHUPUTHENPURAYIL, PALACE WARD, ALAPPUZHA.

3. P.R. RAJENDRAN, AGED 46 YEARS,
S/O. RAGHAVAN, PUTHUVEETTIL,
THOTTATHUMMURIYIL, PATHIYOOR VILLAGE.

BY PUBLIC PROSECUTOR SRI.K.A.AKBAR
SRI.B.RENJITHKUMAR
SMT.ANJU MEERA BIRLA

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 30/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.NO.2963 OF 2006

Dated this the 30th day of November, 2006.

ORDER

The short request of the petitioner, to whom a vehicle has been released, is that the registration certificate of the vehicle, which is available in court may be handed over to him. That request was rejected by the learned Magistrate

2. The learned counsel for the petitioner submits that the petitioner needs the registration certificate for the short and only purpose of remitting the road tax, without which he will not be able to ply the vehicle. I am satisfied, in these circumstances, that the request of the petitioner is legitimate. The same deserves to be allowed; subject, of course, to appropriate condition which shall ensure that the registration certificate shall be surrendered back to court within two days of its release.

3. In the result, this Crl.M.C is allowed. The impugned order is set aside. It is directed that the registration certificate of the vehicle shall be released to the petitioner for the purpose of utilizing it to facilitate remittance of road tax on condition that he executes a bond for Rs.25,000/- undertaking to produce the registration certificate back before the same court in the same condition.

(R.BASANT, JUDGE)

rtr/